

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 5/21/2019

JANAK ANARKAT, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

Case No. 1:19-cv-01725-AT

CVS HEALTH CORPORATION, LARRY J.  
MERLO, and DAVID M. DENTON.

Defendants.

**STIPULATION AND PROPOSED ORDER**

Pursuant to the Court’s March 14, 2019 Order, Co-Lead Plaintiffs City of Miami Fire Fighters’ and Police Officers’ Retirement Trust and the International Union of Operating Engineers Pension Fund of Eastern Pennsylvania and Delaware (“Lead Plaintiffs”) and Defendants CVS Health Corporation, Larry J. Merlo, and David M. Denton (“Defendants”) respectfully submit this Stipulation and Proposed Schedule for the filing of an Amended Complaint and Motion to Dismiss. Order at 2, ECF No. 8.

1. Lead Plaintiffs will file an Amended Complaint within 60 days of the entry of the attached Order.

2. Defendants will answer or otherwise respond to the Amended Complaint on the following schedule. Within thirty (30) days of the filing of the Amended Complaint, Defendants will send to Lead Plaintiffs the letter contemplated by Section III(B)(ii) of the Court’s Individual Practices in Civil Cases. Lead Plaintiffs will respond by letter in accordance with Section III(B)(ii) of the Court’s Individual Practices in Civil Cases within seven (7) days. Within seven (7) days of receiving Lead Plaintiffs’ letter to Defendants, Defendants will file with the Court a letter setting

forth their bases for dismissal in accordance with Sections III(A) and III(B)(iii) of the Court's Individual Practices in Civil Cases. Within seven (7) days of Defendants' letter, Lead Plaintiffs will file a responsive letter in accordance with Sections III(A) and III(B)(iii) of the Court's Individual Practices in Civil Cases. The agreed schedule for these events is below:

Lead Plaintiffs file Amended Complaint	60 days from entry of the attached Order
Defendants send Rule III(B)(ii) letter to Lead Plaintiffs	30 days from filing of Amended Complaint
Lead Plaintiffs send Rule III(B)(ii) response letter	7 days from service of Defendants' Rule III(B)(ii) letter
Defendants file Rule III(B)(iii) letter	7 days from service of Lead Plaintiffs' Rule III(B)(ii) response letter
Lead Plaintiffs file Rule III(B)(iii) letter	7 days from service of Defendants' Rule III(B)(iii) letter

3. If Lead Plaintiffs elect to amend their pleadings under Sections III(B)(ii) or III(B)(iii) of the Court's Individual Practices in Civil Cases, the parties will confer on a schedule for any motion to amend and any opposition thereto.

4. The parties have agreed to the following schedule for the briefing of Defendants' Motion to Dismiss once the Court issues its order under Sections III(A)(ii) and III(B)(iii) of the Court's Individual Practices in Civil Cases:

Defendants file Motion to Dismiss	30 days from Court's Order allowing Motion
Lead Plaintiffs file opposition to Motion to Dismiss	30 days following service of Motion to Dismiss
Defendants file reply in support of Motion to Dismiss	20 days following service of opposition

**SO STIPULATED AND AGREED:**

Dated: New York, New York  
May 20, 2019

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*Attorneys for Defendants*

SO ORDERED:

May 21 \_\_\_\_\_, 2019  
New York, New York



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Honorable Analisa Torres  
United States District Judge